

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD ROY SCOTT,

Plaintiff,

v.

WALTER WEINBERG, *et al.*,

Defendants.

Case No. C06-5172FDB

ORDER DENYING PLAINTIFF'S
APPEALS

The Magistrate Judge issued an order filed August 3, 2006 [Dkt. # 38] in which he addressed eight motions filed by Plaintiff. Plaintiff appeals the Magistrate Judge's ruling regarding depositions. The Magistrate Judge noted that Plaintiff Scott must seek leave of Court to conduct discovery, owing to past discovery abuses, and granted in part and denied in part such leave on sound bases. Plaintiff's appeal reiterates his position relative to the discovery, but this Court is not persuaded by his arguments.


Plaintiff also appeals the Magistrate Judge's order denying appointment of counsel, but Plaintiff has failed to demonstrate exceptional circumstances (requiring an evaluation of the likelihood of success on the merits and of a plaintiff's ability to articulate his claims in light of the complexity of the legal issues involved). ACCORDINGLY,

ORDER - 1

1 IT IS ORDERED:

- 2 1. Plaintiff Scott's Appeal To Judge of Order Dkt. # 38 [Dkt. # 39] is DENIED;
- 3 2. Plaintiff Scott's Appeal To Judge of Order To Deny Depositions and Response to
- 4 Show Cause [Dkt. # 40] is DENIED.

5 DATED this 8th day of September, 2006.

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8 FRANKLIN D. BURGESS

9 UNITED STATES DISTRICT JUDGE

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